

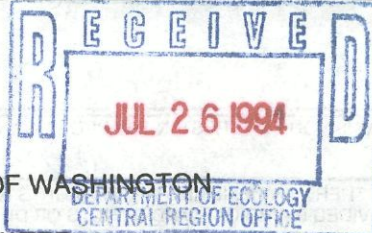
APPLICATION FOR PERMIT

TO APPROPRIATE PUBLIC WATERS OF THE STATE OF WASHINGTON

☐ SURFACE WATER☒ GROUND WATER

\$10.00 MINIMUM STATUTORY EXAMINATION FEE REQUIRED WITH APPLICATION

(GRAY BOXES FOR OFFICE USE ONLY)

CASH
810-
REF: P# 190150
7/26/94

APPLICATION NO.	G432118	W.R.I.A.	38	COUNTY	Yakima	PRIORITY DATE	7/26/94	TIME		ACCEPTED	PC
APPLICANT'S NAME — PLEASE PRINT										Bus. Tel.	
Thomas + Delores Rupe										Home Tel. 697-4528	
										Other Tel.	
ADDRESS (STREET)										(CITY)	
P.O. Box 311										Selah	
(STATE)										(ZIP CODE)	
WA										98942-0311	
DATE & PLACE OF INCORPORATION IF APPLICANT IS A CORPORATION											

1. SOURCE OF SUPPLY	
IF SURFACE WATER	IF GROUND WATER
SOURCE (NAME OF STREAM, LAKE, SPRING, ETC.) (IF UNNAMED, SO STATE)	SOURCE (WELL, TUNNEL, INFILTRATION TRENCH, ETC.)
	Well
TRIBUTARY	SIZE AND DEPTH

2. USE			
USE TO WHICH WATER IS TO BE APPLIED (DOMESTIC SUPPLY, IRRIGATION, MINING, MANUFACTURING, ETC.)			
IRRIGATION			
ENTER QUANTITY OF WATER REQUESTED USING UNITS OF:	CUBIC FEET PER SECOND (CFS)	OR	GALLONS PER MINUTE (GPM)
			130
		ACRE FEET PER YEAR	

TIMES DURING YEAR WATER WILL BE REQUIRED
Mar. 15 thru Oct. 15

IF IRRIGATION, NUMBER OF ACRES	IF DOMESTIC USE, NUMBER OF UNITS BY TYPE, E.G. 1-HOME, 1-MOBILE HOME, 2-CAMPSITES, ETC.	IF MUNICIPAL USE, ESTIMATED POPULATION 20 YEARS FROM TODAY
13		
DATE PROJECT WAS OR WILL BE STARTED	DATE PROJECT WAS OR WILL BE COMPLETED	

3. LOCATION OF POINT OF DIVERSION/WITHDRAWAL						
3A. IF IN PLATTED PROPERTY						
LOT	BLOCK	OF (GIVE NAME OF PLAT OR ADDITION)	SECTION	TOWN	RANGE	ALSO, PLEASE ENCLOSE A COPY OF THE PLAT AND MARK THE POINT(S) OF WITHDRAWAL OR DIVERSION

3B. IF NOT IN PLATTED PROPERTY	
ON ACCOMPANYING SECTION MAPS, ACCURATELY MARK AND IDENTIFY EACH POINT OF DIVERSION, SHOW NORTH-SOUTH AND EAST-WEST DISTANCES FROM NEAREST SECTION CORNER OR PROPERTY CORNER	
ALSO, ENTER BELOW THE DISTANCES FROM THE NEAREST SECTION OR PROPERTY CORNER TO THE DIVERSION OR WITHDRAWAL.	

LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION)	SECTION	TOWNSHIP N.	RANGE (E. OR W.) W.M.	COUNTY
SW SW	12	14	18	Yakima

4. DO YOU OWN THE LAND ON WHICH THIS SOURCE IS LOCATED. IF NOT, INSERT NAME & ADDRESS OF OWNER
Yes

5. LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED
ATTACH A COPY OF THE LEGAL DESCRIPTION OF THE PROPERTY (ON WHICH THE WATER WILL BE USED) TAKEN FROM A REAL ESTATE CONTRACT, PROPERTY DEED OR TITLE INSURANCE POLICY. OR, COPY CAREFULLY IN THE SPACE BELOW.

See attached

WHAT IS YOUR INTEREST IN THE PROPERTY ON WHICH THE WATER IS TO BE USED (PROPERTY OWNER, LESSEE, CONTRACT PURCHASER, ETC.)

OWNER

ARE THERE ANY EXISTING WATER RIGHTS RELATED TO THE LAND ON WHICH THE WATER IS TO BE USED (INCLUDING WATER PROVIDED BY IRRIGATION DISTRICTS OR DITCH COMPANIES.)

Claim

☒ YES ☐ NO

IF YES, FROM WHAT SOURCE (i.e. SURFACE OR GROUND WATER) AND UNDER WHAT AUTHORITY

Claimant Subbasin 15 Wenas Creek, Yakima adj.

6.

DESCRIPTION OF SYSTEM PROPOSED OR INSTALLED

(FOR EXAMPLE: SIZE OF PUMP, CAPACITY OF PUMP, PUMP MOTOR HORSE POWER, PIPE DIAMETER, NUMBER OF SPRINKLERS, ETC.)

Tie Well into existing irrigation system

REMARKS

7.

8.

COMPLETE THIS SECTION ONLY IF THIS APPLICATION INCLUDES IRRIGATION AS A USE

IN ORDER TO IMPLEMENT THE PROVISIONS OF INITIATIVE MEASURE NUMBER 59, THE FAMILY FARM WATER ACT WHICH WAS PASSED BY THE VOTERS ON NOVEMBER 3, 1977, WE MUST ASK THE FOLLOWING QUESTIONS:

DOES THE TOTAL NUMBER OF ACRES IN WHICH YOU HAVE CONTROLLING INTEREST IN THE STATE OF WASHINGTON EXCEED 2000 ACRES FOR THE FOLLOWING THREE CATEGORIES:

1. LANDS THAT ARE BEING IRRIGATED UNDER WATER RIGHTS ACQUIRED AFTER DECEMBER 8, 1977.
2. LANDS THAT MAY BE IRRIGATED UNDER APPLICATIONS NOW ON FILE WITH THE DEPARTMENT OF ECOLOGY.
3. LANDS THAT MAY BE IRRIGATED UNDER THIS APPLICATION.

YES ☐ NO ☒
YES ☐ NO ☒
YES ☐ NO ☒

IF 10 ACRE-FEET OR MORE OF WATER IS TO BE STORED AND/OR IF THE WATER DEPTH WILL BE 10 FEET OR MORE AT THE DEEPEST POINT, A STORAGE PERMIT MUST BE FILED IN ADDITION TO THIS PERMIT. THESE FORMS CAN BE SECURED, TOGETHER WITH INSTRUCTIONS, FROM THE DEPARTMENT OF ECOLOGY.

SIGNATURES

Delores A. Rupel
APPLICANT'S SIGNATURE

Delores Rupel
LEGAL LANDOWNERS NAME
(PLEASE PRINT)

LEGAL LANDOWNER'S SIGNATURE (OWNER OF PROPERTY DESCRIBED IN ITEM NUMBER 5)

LEGAL LANDOWNER'S ADDRESS

FOR OFFICE USE ONLY

STATE OF WASHINGTON

DEPARATMENT OF ECOLOGY

SS.

This is to certify that I have examined this application together with the accompanying maps and data, and am returning it for correction or completion as follows:

In order to retain its priority date, this application must be returned to the Department of Ecology, with corrections, on or before , 19.

Witness my hand this day of , 19.

Addendum To 1994 Drought Emergency Request Applications

The hydrological characteristics of the aquifer systems in the Yakima River Basin are currently under investigation or are being monitored for possible water level declines. In order to protect existing rights, the Department of Ecology may determine that no further water is available for new appropriations in several aquifers. It is, therefore, the opinion of the Department that the amount of ground water storage in this area may not be adequate to sustain full irrigation of the presently developed lands on a continuing basis.

In 1993, the Department issued a number of ground water permits in the Yakima Basin for supplemental irrigation. The Yakama Indian Nation has appealed the decisions claiming the ground water being withdrawn will ultimately decrease the flows of the Yakima River and further harm the already depressed anadromous fish stocks in that river. None of the hearings thus far have dealt with the merits of the case. The results of this litigation will not be known for some time.

Under these circumstances, it is in the state's interest that the Department of Ecology act with caution when implementing drought relief activities in accordance with the provisions of RCW 43.83B, WAC 173-166, and the 1994 Order of Drought Declaration for the Yakima River Basin. The Department will, therefore, be reluctant to authorize construction of drought emergency wells that may not later be granted regular permits after the 1994 drought season has terminated or that may even be required to be decommissioned as a result of on-going litigation. In order to minimize large monetary investments that yield very little return, all applicants will be required to investigate the use of existing wells or obtain authorization to use existing water rights as an alternative to drilling a new well. Applicants will be required to provide a summary of the alternate sources of emergency water available to them before a drought emergency application will be considered complete and ready for action by the Department. Only where the use of existing wells is not an option, emergency drought authorizations to construct new wells may be granted under the condition that there is absolutely no guarantee or implication that a regular permit will be issued for further use of the well after the 1994 declared drought emergency.

The Department will, therefore, deny any drought emergency requests where data indicate the ground water aquifer is already in a stressed condition. Further, any water granted will only be for the quantity necessary to keep the crop alive and not to fully supplement the supply required to obtain maximum crop yield and quality. It is also possible that the pump may be required to be removed and the well capped at the owners expense following the termination of the 1994 declared drought. All water use under an emergency permit will be metered and the use reported to the department. No authorizations for primary irrigation or heat control will be granted under drought emergency authorizations.

* * *

I have read the conditions listed above under which 1994 emergency drought requests will be evaluated and any authorizations granted. I fully understand these conditions and am willing to accept them as part of my request for a drought emergency authorization for the 1994 irrigation season. Under the conditions described above, I am requesting an Emergency Drought Permit be issued for the application submitted with this Addendum and I will assume all risks associated with development if an authorization is granted to me.

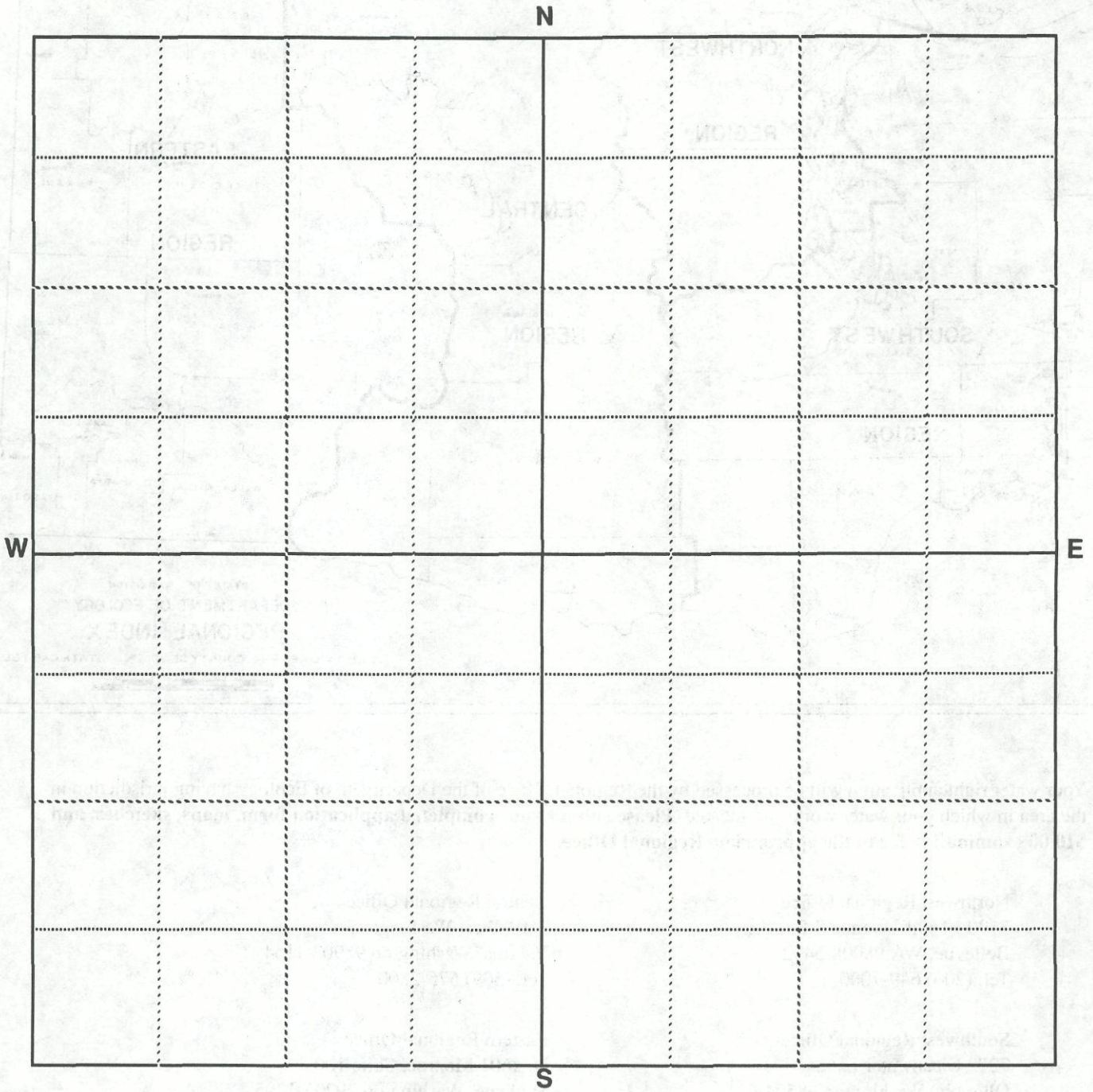
Delores A. Buxel
Signature

7/26/94
Date

Application No. if this request applies to an existing application: _____

SECTION MAP

Sec. Twp. N. R.



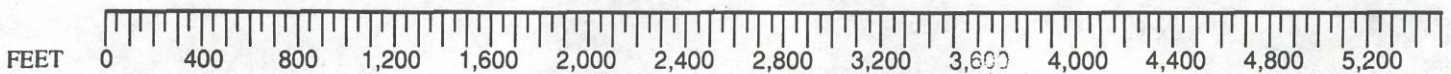
Scale: 1 inch = 800 feet (each small square = 10 acres)

Show by a cross (X) the location of point of diversion (surface water source) or point of withdrawal (ground water source). For ground water applications, show by a circle (O) the locations of other wells or works within a quarter of a mile.
Indicate traveling directions from nearest town in space below.

See map attached

Detach here

Fold along scale



Detach this scale at the performance, fold excess paper under or cut off excess by cutting along the scale line. This scale corresponds to the SECTION MAP above. You can read feet directly from this scale to outline property and locate points of diversion or withdrawal on the SECTION MAP. Enclose this map along with the application and \$10.00 examination fee.

14/18-12
SW 1/4 SW 1/4
33402
10.95

Claim &
1021 + app

181412

Adobe Rd.

S 89° 50' W.

2709.17

INVESTIGATION REPORT
Subbasin 15 (Wenas Creek)

P.O. Box 311
Selah, WA 98942
697-4528

Claimant(s): Don L. and Delores A. Gill

Court Claim No.: 1021

Date of Field Examination: May 7, 1991

Examination Conducted By: Ralph Nollner

Interviewed: Delores Rupel (formerly Delores Gill), and
Thomas Rupel, spouse

Source: Wenas Creek

Purpose(s) of Use: Seasonal irrigation of 4.50 acres and
non-diversionary stock water

Point(s) of Diversion: 300 feet north and 990 feet east from the
southwest corner of Section 12, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ of
Section 12, T. 14 N., R. 18 E.W.M.

Place of Use: The south 495 feet of the east 440 feet of the
SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 12, T. 14 N., R. 18 E.W.M., EXCEPT roads,
buildings, Wenas Creek, and a steep hill behind the house.

Water Delivery System: A 2 horsepower pump with a 1.75" diameter
intake and 1.50" diameter discharge diverts water into a 2"
diameter plastic and aluminum pipe and garden hoses with up to 14
sprinkler heads to sprinkle irrigate pasture, lawn, and alfalfa.

Comments: The Gills claimed seasonal irrigation of five acres;
however, field investigation revealed that approximately 0.50 an
acre is covered by buildings, roads, Wenas Creek, and a basalt
outcrop behind (north of) the house.

Eight horses were present on the day of investigation, and Mrs.
Rupel stated that eight horses have been pastured in the past.

Stock drink directly from Wenas Creek. Non-diversionary stock
water use is addressed in the stipulations proposed by the
Plaintiff in the Plaintiff's Report to the Referee for Subbasin 15
(Wenas Creek).

The priority date claimed by the Gills is "June 1, 1921".

Note(s): Wenas Creek Adjudicated Certificate of Surface Water
Right (Ch. 90.03 RCW) Vol. 0, Page 13, and Certificates of Change
Vol. 1, Page 1000 and 1001 and Vol. 1-4, Page 216 may be
appurtenant.

1 c. If a purpose is irrigation, describe the type and acreage
2 of crops grown.

3 Pasture, Hay & Grain

4 d. If a purpose is irrigation, describe the type and
5 characteristics of the soil:

6 Wenas Silt Loam

7 e. Maximum quantity of water used: _____ cubic feet per
8 second from March 15 to Oct 15 of each year.
(day/month) (day/month)

9 Acre-feet used per year: 3 Ac. ft. / yr. plus stockwater
year-around.

10 f. Other information relating to purpose and quantity of use:

11 7. a. Legal description of land on which water is being put to
12 beneficial use:

13 E. 220 ft. of W 660 ft. of S. 495 ft. and N. 405 ft. of
14 S. 900 ft. of W. 935 ft. of SW 1/4, SW 1/4, Sec. 12,
15 T 14 N, R 18 E W M

16 (continue on separate sheet if necessary)

17 b. Legal description of land on which water has been put to
18 beneficial use:

19 SE 1/4, SE 1/4, Sec 12 T 14 N, R 18 E W M

20 W 1/2, SE 1/4, " " "

21 SW 1/4, SW 1/4 " " "

22 (continue on separate sheet if necessary)

23 c. Legal description of land on which water may be put to
24 beneficial use:

25 Same as 7(a) above

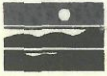
26 (continue on separate sheet if necessary)

27 d. Location of point of diversion from the natural source:

28 SW 1/4 NE 1/4 Sec. 10, T. 14 N., R. 18 E.W.M.

29 Location of point of diversion from ditch, flume, canal,
etc.: ck.

30 SW 1/4 SW 1/4 Sec. 11, T. 14 N., R. 18 E.W.M.



WASHINGTON STATE
DEPARTMENT OF
ECOLOGY

WASHINGTON STATE
DEPARTMENT OF ECOLOGY

RECEIPT 190150

DATE

7/26/94

RECEIVED FROM

Thomas & Delores RUFEL

TEN 10/100

DOLLARS

~~9.99~~ 10.00

FUND:

General

☒ UST

☐ WWD

☐ Other

Cash

LOCATION:

Check #

MO #

PURPOSE:

Application Fee

By

Faye M. [Signature]

Thank You